

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**HELEN LUCILLE ALLEN,**  
**Petitioner,**

**v.**

**DCSE,**  
**Respondent.**

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**Civil Action No. 7:12-cv-00392**

**ORDER**

**By: Hon. Michael F. Urbanski**  
**United States District Judge**

In accordance with the written Memorandum Opinion entered this day, it is hereby

**ORDERED**

that petitioner's petition for writ of habeas corpus, pursuant to 28 U.S.C. §2254, is **DISMISSED without prejudice** for failure to exhaust state court remedies; a certificate of appealability is **DENIED**; petitioner's motion to proceed in forma pauperis is **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this Order and the accompanying Memorandum Opinion to petitioner.

Entered: August 29, 2012

*/s/ Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge